

# MESSAGE FORM

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CHECK NO.	DATE	PRIORITY
FROM	MESSAGE REFERENCE NO.	04 OCT 50
TO	ORIGINATING OFFICE	

PRIORITY [ ] INFO FROM HAMBURG CITE BONN AN [ ] 0287  
 REF BONN 0286

1. GREEK AMBASSADOR THOMAS YPSILANTIS STATED 2 OCT THAT HE  
 RECOMMENDED TO GREEK GOVERNMENT NOT TO FILE SUIT EITHER IN  
 OR GERMANY AGAINST ANY OF THREE PARTIES (MERTENS, HAMBURG ECHO  
 REPEAT HAMBURG ECHO, DER SPIEGEL REPEAT DER SPIEGEL). ALTHOUGH  
 KARAMANLIS INITIALLY AGREED, BONN GREEK EMBASSY SURPRISED  
 SUDDENLY ON SUIT BY MINISTER FOR MAKRIS. YPSILANTIS FEARS  
 OF RELEASE SAME IS USED IN GERMANY COURTS IF MERTENS AND HAMBURG  
 REPEAT HAMBURG ECHO DECIDE SUE GERMAN GOVERNMENT FOR LIBEL  
 IMPLICATIONS REGARDING HAMBURG ECHO REPEAT HAMBURG ECHO WHICH  
 IN OFFICIAL GERMAN APOLOGY TO GREEK GOVERNMENT. (YPSILANTIS  
 SUCCESSFUL MERTENS SUIT POSSIBLE IF CASE BASED ON THAT PORTION  
 OF MERTENS ACCUSATIONS WHICH HAS BASIS IN FACT. SPECIFICALLY,  
 THAT PORTION WHICH REFERS TO THE DEPOSITION OF EVDOKOULA IN WHICH  
 SHE FALSELY STATED SHE SAW MERTENS ONLY TWICE. THIS STATEMENT OF  
 EVDOKOULA WAS USED BY MAKRIS IN A SPEECH BEFORE THE GREEK  
 PARLIAMENT. HAMBURG ECHO REPEAT HAMBURG ECHO HAS ALREADY POSITION  
 POSITION THAT IT RESERVES RIGHT TO SUE GERMAN GOVERNMENT.

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2. REGARDING MAXIS DECISION SUE IN GREEK COURTS, YPSILANTIS GREEK EMBASSY LEGAL ADVISOR FNU KOKKINOPOULOS ARE OF OPINION THAT THERE ARE NO GERMAN LEGAL TECHNICALITIES WHICH CONTRAINDICATE OR EVEN BAR SUCH SUIT IN GERMAN COURTS. CONVERSELY, BOTH YPSILANTIS AND KOKKINOPOULOS STRESS THAT THERE IS NO DOUBT BUT THAT SUIT SHOULD HAVE BEEN BROUGHT IN LOCUS OF PUBLICATION OF LIBELOUS STATEMENTS--I.E, GERMANY--PARTICULARLY SINCE HAMBURG REPEAT HAMBURG ECONO DOES NOT CIRCULATE IN GREECE AND MERTENS CANNOT COME TO GREECE SINCE HE RISKS ARREST ON ARRIVAL.

3. YPSILANTIS BELIEVES MERTENS SEEKS RESTORE REPUTATION AND HONOR AND IS READY EFFECT THIS THROUGH SERIES OF SUITS. HE FEARS MERTENS WILL FIND WAY ADJUDICATION OF ACCUSATIONS IN GERMANY CONSEQUENTLY INVOLVING TWO TRIALS--ONE IN GREECE, THE OTHER IN GERMANY. IN THAT TRIAL, POSSIBILITY EXISTS MERTENS WILL BRING IN FALSE WITNESSES WITH RESULTING DAMAGE TO GREEK GOVERNMENT POSITION.

4. NOT PRECLUDED ALSO IS ~~MERTENS' SUIT~~ A MERTENS SUIT AGAINST THE GREEK GOVERNMENT AND GERMAN EMBASSY IN ATHENS FOR MISREPRESENTATION BASED ON FOLLOWING: IN (1946) MERTENS HAD VISITED YPSILANTIS WHO THEN CONSULAR OFFICER ATTACHED TO GREEK MILITARY MISSION IN BERLIN. MERTENS ASKED YPSILANTIS WHETHER HE COULD VISIT GREECE. YPSILANTIS LATER INFORMED MERTENS THAT TWO SEPARATE INQUIRIES WHICH HE, YPSILANTIS, HAD SENT TO GREEK POLICE REMAINED UNANSWERED. YPSILANTIS ASSUMED THERE WERE NO CHARGES PENDING IN GREECE AGAINST MERTENS. ALSO UNANSWERED WAS AN INQUIRY WHICH MERTENS DISPATCHED TO THE GERMAN EMBASSY IN ATHENS.



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5. YPSILANTIS FEARS THAT MERTENS HAS IN POSSESSION A PHOTOGRAPH OF EVDOKOULA, MAKRIS AND HIMSELF (MERTENS) STANDING IN FRONT OF THE WHITE TOWER IN SALONIKA.

6. YPSILANTIS ALSO CONCERNED ABOUT SCANDAL POTENTIAL OF PROSECUTOR TOUSIS CONDUCT IN PAST TRIPS TO GERMANY. TOUSIS HAD BEEN ACCOMPANIED BY HIS MISTRESS, A MARRIED WOMAN. ALLEGEDLY, TOUSIS ACCEPTED BRIBES FROM CERTAIN NOT IDENTIFIED OFFICIALS OF THE GERMAN GOVERNMENT WITH THE PROMISE THAT HE WOULD QUASH OUTSTANDING SUITS AGAINST WAR CRIMINALS. YPSILANTIS BELIEVES MERTENS MAY HAVE OBTAINED EVIDENCE THEREOF PLUS WITNESSES WILLING TO TESTIFY TO THIS.

7. SOURCE: [REDACTED]

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